

REMARKS

Claims 1-6 are currently pending, with claims 1 and 6 being in independent form. Claims 1, 4 and 6 have been amended. No new matter has been added. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1 and 3-6 stand rejected under 35 U.S.C. §10b(a) as being anticipated by U.S. Patent No. 5,193,641 ("*Durrell*"). Claim 2 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Durrell*. For the following reasons, reconsideration and withdrawal of these rejections are respectfully requested.

Independent claims 1 and 6 recite "said on-off control circuit being configured to electronically start the fuel pump arrangement at an attempted starting of the motor vehicle and being triggered to electronically switch off the fuel pump after the attempted starting when said detection circuit detects that the attempted starting was unauthorized". *Durrell* fails to teach or suggest this limitation.

The Examiner (pg. 2 of the Office Action) asserts that:

Durrell discloses ... a detection circuit (10) (i.e., fuel lock unit) detecting an unauthorized system activation, and an on-off control circuit pertaining to and controlling a fuel pump arrangement functionality means, said on-off control circuit being configured to start the fuel pump arrangement at an attempted starting of the motor vehicle and being triggered to switch off the fuel pump after the attempted starting when said detection circuit detects that the attempted starting was unauthorized (see col. 2 lines 41-54, see Abstract)

Applicants disagree.

Durrell relates to an anti-theft system and method for automobiles that cuts off the fuel supply from a gas tank when the automobile is improperly started (see Abstract). According to *Durrell*, "the connection between fuel tank 11 and fuel pump line 12 is made by closing a

vacuum controlled poppet valve 23 which is springloaded in the normally open position by spring 24 but which is actuated to close or enable the fuel line by the enabling of the vacuum in the vacuum line 14” (see col. 2, lines 41-46). *Durrell* thus teaches a system in which the fuel line is actually broken or severed and rendered useless by a vacuum line that opens and closes the valves. There is nothing in *Durrell* to teach or suggest that the fuel pump itself is electronically disabled by an on-off control circuit. It is clear a pump that is disabled electronically differs from a fuel pump that is disabled by vacuum controlled valves.

Moreover, *Durrell* (col. 2, lines 1-3 FIG. 1) teaches that two units along with their linking vacuum and fiber optic lines are placed in a standard automobile. *Durrell* (col. 2, lines 3-6) explains that “[a] fuel lock unit would be installed on a gas or fuel tank 11 (in the automobile) and interposed in the existing fuel line 12 which goes to the fuel pump in the engine compartment. *Durrell* (col. 2, lines 3-6) additionally explains that “[t]he second unit, the ignition switch unit 13, either can replace the steering column lock in original equipment applications, or alternatively, be connected in series with the existing steering column lock on retrofit applications”. *Durrell* thus teaches that the complete deactivation of the fuel pump in the system of *Durrell* can be achieved by the use of the fuel lock unit 10 and the ignition switch unit 13 shown in Fig. 1. Therefore, even assuming, *arguendo*, that *Durrell* teaches electronic interaction between devices, i.e., between the ignition switch unit 13 and the fuel lock unit 10, *Durrell* still fails to teach or suggest that the valves themselves are operated electronically to disable the fuel pump.

The claimed invention, in contrast, is directed to a system that electronically blocks operation of the fuel pump to prevent the vehicle from being driven away. This is accomplished by specifically, electronically deactivating the fuel pump of the vehicle by use of the claimed on-off control circuit. Thus, even if another source of fuel were provided to applicants’ claimed

fuel pump, an unauthorized user could not operate the vehicle with such a pump because the fuel pump would still be inoperable. *Durrell* thus fails to teach or suggest a system that would encompass such an advantageous feature, since there is no teaching or suggestion in *Durrell* that the fuel pump itself is electronically deactivated by an on-off control circuit that falls within the meaning and scope of applicants' claimed invention.

In view of the foregoing, independent claims 1 and 6 are patentable over *Durrell*. Reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are in order, and a notice to that effect is requested.

Dependent claims 2-5 are also patentable for at least the same reasons as is independent claims 1 and 6, as well as for the additional recitations contained therein.

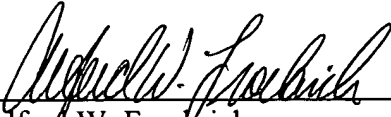
Claim 4 has been amended to recite "said on-off control circuit being triggered to electronically switch off the fuel pump if no code word or an erroneous code word is received". *Durrell* fails to teach or suggest this limitation. In contrast *Durrell* discloses that a codeword is used to reset the circuit after the fuel line is closed (see col. 5, line 66 to col. 6, line 17 of *Durrell*). Accordingly, claim 4 is allowable for at least this additional reason.

Based on the foregoing remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By



Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: October 16, 2008